

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

MARYANNE L. MAYHEW,

Plaintiff,

v.

CIVIL ACTION NO. 2:13CV61

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER/OPINION**

On August 29, 2013, Plaintiff, *pro se*, filed a Complaint in this matter. On January 13, 2014, Defendant Commissioner of Social Security filed an Answer to the Complaint, along with a copy of the Transcript of the Administrative Proceedings in this matter. A review of the docket reveals Plaintiff has not filed a Motion for Summary Judgment and Memorandum in Support thereof. Plaintiff is directed to Local Rule of General Procedure 9.02(c), which provides:

Within thirty (30) days after the defendant has filed an answer and a complete copy of the administrative record, the plaintiff shall file a Motion for Summary Judgment and Memorandum in Support setting forth his or her claim(s) for relief. The plaintiff shall serve copies of his or her Motion for Summary Judgment and Memorandum in Support upon the United States Attorney's Office.

Because Plaintiff is proceeding *pro se*, the Court will not recommend dismissal at this time.

Instead, it is **ORDERED** that:

**Plaintiff shall file with the Court and serve on Defendant her Motion for Summary Judgment and Memorandum in Support of her claims on or before March 14, 2014.** Failure to do so will result in the undersigned entering a Report and Recommendation recommending to the District Judge that this case be dismissed. Defendant Commissioner of Social Security is ordered to file a responsive Motion for Summary Judgment and Memorandum in Support within thirty (30) days of the filing of Plaintiff's Motion.

The Clerk is directed to provide a copy of this to counsel of record through electronic means

and a certified copy by United States Mail to Plaintiff, *pro se*.

DATED: February 28, 2014.

*/s/ John S. Kaull*

JOHN S. KAULL  
UNITED STATES MAGISTRATE JUDGE